

# Lifts and safety components for lifts: making available on the market. Recast. 'Goods package'

2011/0354(COD) - 22/02/2019 - Follow-up document

The Commission presents a staff working document accompanying the report from the Commission on the implementation and functioning of Directive 2014/33/EU on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts.

The main purpose of document is to assess the performance of the Directive and the extent to which the Directive meets its objectives. The evaluation examined whether the Directive has been effective, efficient, coherent and relevant in meeting these objectives and assessed its EU added value, drawing on the research conducted by external contractors and the Commission's experience with the enforcement and management of the Directive. The date of entry into force of Directive 95/16/EC, 1 July 1999, is taken as a starting point of the assessment.

## *Conclusions*

The main conclusion of the evaluation is that the Directive is **functioning properly** and is contributing positively to its main objectives of ensuring an effectively operating internal market for safety components and lifts and of improving the health and safety of lift users and maintenance personnel.

While the provisions of the Directive have been uniformly transposed across the Member States, the evaluation has nevertheless identified discrepancies in the implementation of some of the provisions and most notably the essential health and safety requirements (EHSR) 2.2. on the prevention of the risk of crushing and the prior approval as well as the provisions on lift accessibility for disabled persons. However, the evaluation has concluded that the implementation issues related to both of these provisions are essentially due to the diverging provisions and/or practices adopted by the Member States to complement the relevant provisions of the Directive. Regarding the provision on the lift accessibility for disabled persons, the evaluation has concluded that the additional requirements, which are sometimes introduced by the Member States to complement the relevant EHSRs of the Directive, do not impose additional burden on the economic operators and do not hinder the internal market for lifts.

The evaluation reveals the following:

**Relevance** – this is assessed by checking the relevance of its objectives to current needs, especially taking into account innovation and new technologies and the clarity of the Directive. The document states that the Directive's objectives are still considered to be relevant. The Directive is able to be aligned to technological developments in the lift sector and to take into account risks related thereto.

With respect to clarity, the evaluation identifies certain issues some issues relating to the definitions such as “lift installer” and the concepts of “putting into service” and “placing on the market”. In addition, some concerns have been raised regarding the precise definition of the scope of the Directive. However, the evaluation has concluded that these concerns are not to be attributed to unclear or conflicting wording within the Directive, but rather to certain difficulties in the interpretation. Therefore, while some issues have been clarified by Directive 2014/33/EU, others are covered in the revised version of the Guide to the application of the Lifts Directive.

**Effectiveness** - 96% of survey respondents consider that the Directive facilitated the free movement of lifts and safety components, and 75% deem this is specifically achieved through a reduction of different

requirements across Member States. This general perception of the stakeholders is also supported by the available market data, which clearly indicates an overall growth of the value of sold production of lifts between 1995 and 2015. Based on the evidence gathered, the Directive contributed to an effectively operating internal market for the products in its scope.

Regarding specifically the Directive's contribution to objective of improving the lift safety, the major difficulty in assessing the performance of the Directive is the lack of official data on lift-related accidents across Member States. Nevertheless, the available data concerning the period between 2008 and 2015 indicates an average annual decrease of accidents involving maintenance personnel. Regarding the users of lifts, the evaluation has concluded that the impact of the Directive is in no circumstances adverse and the Directive could even have brought a minor positive contribution to the improvement of the level of lift safety.

**Efficiency** - the evaluation has concluded that there is no evidence that compliance costs due to the Directive have increased in comparison to the period prior to its entry into force. Based on the available qualitative data, it can be concluded that the Directive has achieved a balance of the costs and benefits for all stakeholder categories. By replacing the different national regimes with a single harmonised EU-wide legal framework, the Directive reduced the associated administrative and compliance costs. However, these benefits seem not evenly spread, with larger companies benefiting more than SMEs from harmonisation due to their orientation to intra-EU export.

**Coherence** - the Lifts Directive is interrelated with other EU legislation, in particular [the Machinery Directive](#), the [Cableway Installations Regulation](#), and the [Construction Products Regulation](#). No major issues of overlaps or inconsistencies have emerged from the evaluation. On the contrary, a number of complementarities exist, and they cause no duplication of costs according to 88% of survey respondents.

**EU added value** - a large majority (94%) of respondents to the survey recognise the EU Added Value of the Directive, especially in terms of enhanced free circulation of lifts and safety components and of their increased safety. Alongside the stakeholders' perception, the EU Added Value of the Directive in terms of enhanced free movement of lifts and safety components is confirmed by the increasing relevance of intra-EU trade since 1995, which suggests an improvement in the conditions for placing lifts and safety components on the market due to the introduction of the Directive.